

## **WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: COUNTY FACILITIES**

**DATE: FEBRUARY 5, 2009**

**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS THOMAS  
O'CONNOR  
CHAMPAGNE  
VANNESS  
GIRARD  
GOODSPEED  
PITKIN

**OTHERS PRESENT:**

WILLIAM LAMY, SUPERINTENDENT, DEPARTMENT OF PUBLIC  
WORKS  
JEFFREY TENNYSON, DEPUTY SUPERINTENDENT OF PUBLIC  
WORKS  
FRANK MOREHOUSE, SUPERINTENDENT OF BUILDINGS  
FRED AUSTIN, BUILDING PROJECT COORDINATOR  
FREDERICK MONROE, CHAIRMAN  
PAUL DUSEK, COUNTY ATTORNEY  
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL  
SERVICES  
JOAN SADY, CLERK OF THE BOARD  
SUPERVISORS BENTLEY  
BELDEN  
GERAGHTY  
MERLINO  
STRAINER  
TESSIER  
TODD LUNT, DIRECTOR OF HUMAN RESOURCES  
DEPARTMENT  
FRANCIS O'KEEFE, COUNTY TREASURER  
SHERIFF NATHAN YORK  
FRANK MCCOY, COUNCILMAN, TOWN OF LAKE GEORGE  
ROBERT BLAIS, MAYOR, THE VILLAGE OF LAKE GEORGE  
WALTER LENDER, THE LAKE GEORGE ASSOCIATION  
ALYSON MARTIN, *THE POST STAR*  
JONATHAN ALEXANDER, *THE ADIRONDACK JOURNAL*  
THOM RANDALL, *THE ADIRONDACK JOURNAL*  
DAVID CEDERSTROM, *THE CHRONICLE*  
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

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Mr. Thomas called the meeting of the County Facilities Committee to order at 9:30 a.m.

Motion was made by Mr. VanNess, seconded by Mr. Girard and carried unanimously to accept the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Frank Morehouse, Superintendent of Buildings, who distributed copies of the agenda packet to the Committee members; a copy of the agenda is on file with the minutes.

Mr. Morehouse advised that the construction of the Human Services Building (HSB) was proceeding ahead of schedule and the project was under budget. He explained that the last section of steel had been erected and the masonry portion of the project was scheduled to begin as soon as the exterior walls were erected.

Mr. Thomas asked William Lamy, Superintendent, Department of Public Works (DPW), to give an update on the Court space. Mr. Lamy distributed schematic drawings of Judge Vito Caruso's suggestions, which Chairman Monroe outlined for the Committee. Mr. Thomas questioned if the Office of Court Administration (OCA) would assist with the funding of the renovations and Chairman Monroe responded affirmatively. Mr. Belden questioned whether the renovations would be completed using County labor and Chairman Monroe replied affirmatively.

Mr. Champagne queried whether Mr. Morehouse had researched the heating and ventilation needs of the space and Mr. Morehouse replied he had not completed his review; however, he added, there could be an issue with the Library heating system which would be rectified by adding an electric heating system. Mr. Champagne asked if this would create a conflict with the Siemens Building Technologies contract and Mr. Morehouse responded that he did not foresee any necessary changes to the contract with Siemens. Chairman Monroe said that this would temporarily alleviate the spacing issues within the Court system until more permanent arrangements could be made. Mr. Thomas questioned what the estimated time frame would be and Mr. Morehouse responded that he estimated approval from the OCA within six weeks and noted that the entire renovation should not take long to complete.

Mr. Lamy outlined the proposal made by Clark Patterson Lee (CPL) to review the former Jail, assess any future court space issues and develop a master plan by May of 2009, for a lump sum fee of \$71,000. Mr. Thomas commented that the fee was excessive, however; he noted, that a plan was necessary.

Mr. Pitkin questioned if the County had any prior experience with CPL and if so, how did the fee compare to other figures quoted by CPL and Mr. Lamy responded that the County had contracted with CPL for the HSB project and this proposal was consistent with the engineering practices on that project. Mr. Lamy stated that a Request for Proposal (RFP) had been issued to research certain building needs for the HSB project such as the heating, ventilation and air conditioning needs. He added that the lowest bidder that had responded had later filed for bankruptcy; therefore, a new RFP had been issued and based on their qualifications and rates the County had decided to contract with CPL.

Chairman Monroe pointed out that based on the plan developed by Judge Caruso, the fiscal impact on the County would be minimal. He advised that if the Economic Stimulus Bill proposed by President Obama was passed additional funding may be available for projects such as, the proposed court renovations. He said it was imperative that the courts were supplied with additional space to accommodate the offices of Judge Robert Muller and the proposed addition of another Family Court

Judge.

Mr. Champagne commented that CPL had been the lowest bidder for the HSB project and they provided skilled, professional workmanship. He added that he was in favor of awarding the contract to CPL to review the former Jail, assess future court space and develop a master plan.

Mr. Goodspeed stated that he agreed with Chairman Monroe that it was necessary to supply the Courts with additional space; however, he added, he did not feel that it was necessary to take action at this time, as the issue seemed consistent with most court systems across New York State. He said that with the current economic crisis, he would be reluctant to support the CPL proposal.

Chairman Monroe advised that he had discussed the possibility of utilizing the courtyard as additional space for the courts with CPL and noted that this could possibly be entirely funded through the OCA. Mr. Girard asserted that a plan was necessary to create additional space for the courts, as well as other Departments requiring additional space by utilizing the kitchen space in the former Jail. Mr. Lamy stated that he would clarify with CPL that the former Jail space was included in the proposal.

Motion was made by Mr. Girard and seconded by Mr. VanNess to approve the CPL proposal to review the former Jail, assess any future court space issues and develop a master plan by May of 2009, for a lump sum amount of \$71,000.

Mr. Geraghty cautioned that the Committee should clarify with CPL the scope of services that would be performed for \$71,000 prior to approving the proposal. He explained that an all inclusive report should be drafted by CPL and that all the necessary reports should be provided for the \$71,000 fee. Mr. VanNess stated that if a contract was approved with CPL, it should provide for an all inclusive plan, including the hazardous material plans.

Jeffrey Tennyson, Deputy Superintendent of the DPW, advised that he believed the reports would supplement the previous reports for asbestos mitigation, which were developed by CPL. He added that the County could request that CPL incorporate those reports into the scope of work to create a completed report. Mr. VanNess said that once the report was completed, the Board of Supervisors wanted to be ready to proceed with the project and begin construction.

Mr. Lamy apprised that the CPL report would not mean that construction was ready to begin, rather it would give a position statement and allow engineering plans to begin being drafted. Mr. Champagne pointed out that the proposal specifically stated that the report did not include final design drawings; however, he added, it would provide a determination on how the space could be utilized. Mr. Champagne stated that it was necessary to perform an evaluation of the Municipal Center to determine what could be done with the space. He advised that he would be voting in opposition of the project due to the excessive cost and suggested researching if the project could be completed

by County staff.

Mr. Girard stated that he understood that there were legitimate space issues in the court space; however, he questioned whether it was necessary to address the issue at this time. He commented that if it was not necessary, then he was not in favor of the proposal; however, he added, the space issue kept resurfacing and he wondered if it should be addressed now before it became mandatory. Mr. Geraghty reiterated that \$36,000 had already been expended for a asbestos evaluation on the former Jail and he felt that the evaluation should be included in the CPL proposal.

Chairman Monroe suggested that the Supervisors tour the court area and view the space issues for themselves. He stated that there was no question that there was a definite need for additional space and that the vacant space should be utilized to rectify the issue; however, he added, the CPL report would determine whether the vacant space could be utilized to create additional court system space. He pointed out that the County should maximize what would be funded by the OCA by renovating the old court space and other vacant space available in the Municipal Center for the courts. He added that this would prevent the State from pressuring the County to build another court building. Paul Dusek, County Attorney, said that he was unsure of what measure the State could take to force the County to create additional space for the court system; however, he stated, he was sure they would apply some type of pressure.

Mr. Thomas advised that the Judges had stated for the last four years that additional space was necessary for the existing court system. Mr. Goodspeed said that it may be uncomfortable; however, he stated, there were other courts across the State with more serious spacing issues.

Mr. Belden commented that one issue that kept recurring was requests for change orders to capital projects. He stated that if the Board approved the proposal from CPL, it would be necessary for them to provide the services at the cost of the original contract and make sure that it was clear that additional funds would not be available for the completion of the report.

Mr. Tessier stated that it was necessary for the courts to acquire additional space, however; he noted, in two years they would have the same issue because the renovation would accommodate Judge Mullers' Office but would not solve the court spacing issue. He pointed out that it had previously been determined that the courtyard could not be renovated for additional court space due to the determination that windows would not be available for that space.

The end result, Chairman Monroe stated, was that the project would be divided into two phases; the first phase was to renovate any available space utilizing the OCA funding; and the second phase would be to utilize County funds to expand the space in the future.

Mr. Morehouse stated that the Space Committee had discussed moving the Planning

& Community Development Department into the former Jail and converting their current office space into part of the court system, which would be conducive to the court renovations. He mentioned that the old garage could be renovated into additional office space, if necessary.

The final product of the study, Mr. Lamy advised, was for a master plan to be developed for use of the existing space, as well as recommendations for new construction to accommodate the results of the investigation. He stated that he would research whether the previous asbestos study was valid and could be utilized as an appendix to the master plan, as well as include the space utilization of the former Jail. He pointed out that in order to prevent change orders it was necessary to clarify with CPL the scope of work to be included within the study so that alterations would not have to be made in the future, causing the price of the contract to increase.

Mr. Champagne interjected that the proposal should consider the findings of the studies which had been done on the space in prior years to prevent paying for research that was already done. He noted that the studies that had already been performed should reduce the amount of work required for the proposal; therefore, decreasing the price. Mr. Lamy agreed that there was no sense in researching certain areas if it had been previously determined that the space could not be utilized. He suggested determining what the expectations of the master plan were rather than producing four plans that would be meaningless. Mr. Champagne said that it was necessary determine what the County's expectations were prior to contacting CPL.

Mr. Pitkin asked Mr. Lamy to clarify that as long as multiple options were requested more change orders would be created and Mr. Lamy stated that the more specific the request to CPL the easier it would be for them to identify what to include in the report. Mr. Lamy noted without research it was apparent that the County was unsure of what their expectations were.

Mr. Goodspeed reminded the Committee that Judge Muller had originally requested an office that was expensive and the County had been able to compromise and create an office space that was sufficient. He stated that they may have to accommodate a new Family Court Judge as well, and he suggested researching ideas that could be incorporated into the existing floor plan. Mr. Goodspeed pointed out that in other counties the Grand Jury presentations were made in the courtroom; however, he added, Warren County had a separate Grand Jury Room in the District Attorney's Office. He advised that the kitchen hallway could be converted into a multi-functional court space and Judge Muller's Offices. He noted that he was not opposed to the renovations; however, he suggested that the renovations be delayed until the economy improved.

Chairman Monroe advised that the master plan should focus on the concept of the OCA funding the renovations to the existing space and they should prepare a plan in case a new funding stream became available. Mr. Lamy pointed out that the renovation of the jury room could be included in the CPL proposal. He noted that the space issue for

Judge Muller had been addressed by utilizing the Law Library for his office space.

Discussion ensued.

Pursuant to the discussion, Mr. Girard withdrew his motion and Mr. VanNess withdrew his second to the motion to approve the CPL proposal to review the former Jail, assess any future court space issues and develop a master plan by May of 2009, for a lump sum amount of \$71,000.

It was the consensus of the Committee that Hal Payne, Commissioner of Administrative & Fiscal Services, should schedule a meeting with CPL to discuss the details of the proposal.

Mr. Payne advised that he believed that the \$36,000 asbestos report that had been performed had included a review of the former Jail and the kitchen. He stated that the new carpeting which had been purchased three years ago for the Commissioner of Juror's Office had not been installed due to an asbestos problem in the Office. He questioned whether the proposed portion of the Municipal Center, which would be renovated for Judge Muller would have an asbestos issue, as well. Mr. Geraghty pointed out that an asbestos study had been completed in the 1990's by Rist Frost Associates, which may have recorded whether asbestos was located in that area.

Francis O'Keefe, County Treasurer, entered the meeting at 10:30 a.m.

Continuing with the next item on the agenda which pertained to elevator maintenance, Mr. Morehouse outlined handout Item 2c for the Committee. He stated that he believed that a safety collar was not required for the elevator and he did not believe the County should expend funds for this purpose; however, he added, the cylinders in both of the elevators should be replaced. He said that he had received an estimate of \$50,000 to replace the cylinders. He stated that he would ask the County Attorney's Office to review the legal necessity of a safety collar and report back to the Committee. He added that he would also research the cost of replacing the cylinders for both elevators.

The next item on the agenda, Mr. Thomas stated, pertained to the buildings on the Gaslight Village property. Mr. Lamy advised that CPL had developed an engineering report to reflect the structural integrity of the buildings on the property and to reflect the improvements necessary to utilize the buildings, as well as the cost associated with the improvements. He referred the Committee to the executive summary list which contained the estimates for the improvements to the Opera House totaling \$960,000 and improvements to the Cavalcade of Cars totaling \$672,000. He pointed out that the estimates factored in utilizing outside contractors; having to pay prevailing wage rate; and the cost of utilizing County labor for the renovations, which was 30% less.

Chairman Monroe thanked Walter Lender, from The Lake George Association (LGA) and Robert Blais, Mayor of the Village of Lake George, for being in attendance. Chairman

Monroe stated that it had been proposed that the buildings could be demolished utilizing grant funds. Mr. Belden questioned whether it had been determined that grant funds would be available to demolish the buildings and Mr. Lender responded that he had located a \$1.2 million grant, which would cover the cost of the demolition. Mr. Lender pointed out that an RFP had been completed to demolish some of the existing buildings on the Gaslight Village Property in the spring and they could revise the RFP to include the Opera House and the Cavalcade of Cars buildings.

Mr. Tessier voiced his objection to the report in light of his opinion that it included erroneous information on the buildings. He reminded the Committee that the County was obligated to prepare the property for upcoming events they had committed its use; he added that if the property was not available, the County would run the risk of losing occupancy tax revenues generated by the events; thereby shifting the tax burden to the taxpayers.

Mr. Tennyson questioned whether the grant had specific requirements and Mr. Lender responded in the negative. He advised that the grant had been written to include the entire Gaslight Village Property and added that the original plan had been to demolish all the buildings on the property. He said that he did not foresee any problems with returning to the original plan.

Chairman Monroe advised that the County did not want to miss the opportunity to have the cost of the demolition included in the grant funding and added that if they decided to demolish the buildings in the future, the County would have to fund the demolition on their own. He advised that it was imperative that a decision be made on whether to demolish or renovate the buildings.

Mr. Goodspeed apprised the Committee that as per Governor David Paterson, any State grant funding, which had yet to be expended had either been removed from the 2009-2010 State budget or was at risk of being removed. Mr. Lender stated that the grant was at risk due to the program being reduced from \$27 million to \$22 million. Mr. Goodspeed cautioned that demolition should not take place until it was guaranteed that the funds were available from the grant to pay for the demolition.

Mr. Tessier reiterated that a commitment had been made to supply space to upcoming events and he did not believe that the demolition of the Cavalcade of Cars building was necessary. Mr. Merlino stated that the main goal was to save the taxpayers money and added that when engineering plans were involved, the costs seemed to be excessive.

Mr. Belden questioned whether the County wanted to repair the buildings or utilize State grant funds to have them demolished. He suggested including the buildings in the grant to be demolished if the funds were available thereby, saving the County an estimated \$300,000 for the cost of demolition.

Messrs. Bentley and Strainer entered the meeting at 10:53 a.m.

Mr. Goodspeed advised that eighteen months ago the Town of Johnsbury had been awarded a grant to resurface the tennis court and he had been informed that the grant money that they had been awarded was no longer available. He stated that the issue with grants was that they were time consuming and the projects incurred expenses that were not always reimbursable. He apprised that he did not approve of any of the options that had been proposed, due to the cost associated with them and he added, the taxpayers should be considered prior to a making a decision. Chairman Monroe interjected that he believed that the grant should be pursued to lessen the cost to the County.

Mr. Lender mentioned that the RFP could be developed so that there was an option to keep the buildings intact, rather than have them demolished. Chairman Monroe advised that he had requested that The Chazen Companies supply a short term option, as well as a long term one. Mr. Lender commented that the RFP would be issued in the spring and could be awarded within thirty days, which would allow the project to commence in the summer, providing a contract was received from the State. Chairman Monroe advised that the work should not begin in the summer as it would interfere with the property being utilized for special events.

Frank McCoy, Councilman for the Town of Lake George, advised that the Town of Lake George's Buildings and Grounds crew was scheduled to begin renovation on the Cavalcade of Cars the following week and that if the building was demolished the work would have been completed for no reason. He stated that he believed that the Cavalcade of Cars building could be renovated for less than \$50,000.

Mr. Belden thanked the Town of Lake George for all of the renovations that had been handled by them on the property and he asked Mr. McCoy whether he felt the building could meet the building code requirements and Mr. McCoy responded affirmatively.

Discussion ensued.

Pursuant to the discussion, motion was made by Mr. VanNess, seconded by Mr. Girard and was carried by majority vote, with Mr. Goodspeed voting in opposition, to revise the existing RFP to include the demolition of the Opera House.

Mr. Goodspeed advised that he was in favor of the Town of Lake George completing the renovations to the Cavalcade of Cars building, as long as the three environmental groups agreed. He added that this option was preferable to utilizing the services of the company that had submitted an excessive quote. Mr. Tessier interjected that the environmental groups had no authority on decisions pertaining to the buildings. Mr. Goodspeed asked Mr. Dusek, whether restrictions existed and Mr. Dusek responded that the environmental groups may express their preference as to what they wanted to have done with the buildings; however, he added, thus far they were not opposed to any changes to the buildings and Mr. Lender agreed.

Continuing on, Mr. Morehouse requested to rescind Resolution No. 355 of 2008, which



had authorized an agreement with Paul Vandenberg for the manufacturing and repair of vertical blinds.

Motion was made by Mr. VanNess, seconded by Mr. Girard and carried unanimously to rescind Resolution No. 355 of 2008, as outlined above and the necessary resolution was authorized for the February 20, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. Morehouse requested to authorize a new agreement with Lazarus for the standardization of purchase, repair and replacement of the blinds within the Municipal Center. He explained that the agreement was necessary due to the large project that was forthcoming in the courts, which would require that all of the blinds be replaced if matching blinds could not be located. Mr. Dusek questioned whether the standardization was for the Municipal Center only or if it included the HSB and Mr. Morehouse replied that it included only the Municipal Center.

Motion was made by Mr. VanNess, seconded by Mr. Girard and carried unanimously authorizing an agreement with Lazarus for standardization of blinds for the Municipal Center as outlined above and the necessary resolution was authorized for the February 20, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. Lamy requested to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$12,000, to appropriate additional funds necessary to cover the cost of insurance.

Motion was made by Mr. Champagne, seconded by Mr. VanNess and carried unanimously to amend the 2009 County budget, as outlined above and forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Mr. Lamy requested a transfer of funds in the amount of \$6,000 as follows:

From Code: D.1910 418, County Road - Unallocated Insurance - General Liability  
To Code: DM1910.418, Machinery Fund - Unallocated Insurance - General Liability.

Motion was made by Mr. Champagne, seconded by Mr. VanNess and carried unanimously approving the transfer of funds, as outlined above and to forward same to the Finance Committee. *A copy of the request for transfer of funds is on file with the minutes.*

Mr. Morehouse advised that it had become necessary to affix numbers to the exterior doors on the Municipal Center for delivery purposes and he was requesting Committee approval.

It was the consensus of the Committee that the exterior doors of the Municipal Center be numbered for delivery purposes.

Mr. Dusek stated that an executive session was necessary to discuss the employment history of a particular person.

Motion was made by Mr. VanNess, seconded by Mr. Champagne and carried unanimously that executive session be declared pursuant to section 105 (f) of the Public Officers Law.

Executive session was declared from 11:18 a.m. to 12:13 p.m.

The Committee reconvened and pursuant to executive session it was determined that Mr. Dusek would address the issue of employee break policies at the February 11, 2009 Personnel Committee meeting.

As there was no further business to come before the County Facilities Committee, on motion made by Mr. VanNess and seconded by Mr. Champagne, Mr. Thomas adjourned the meeting at 12:14 p.m.

Respectfully submitted,  
Sarah McLenithan, Legislative Office Specialist